

## **REMARKS**

### **Summary of the Office Action**

Claims 1-3, 6, 7, 10-12, 15, and 16 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 6,301,242 to *Lindsay et al.* in view of U.S. Patent No. 6,775,259 to *Ranta*.

Claims 4, 5, 13, and 14 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over *Lindsay et al.* in view of *Ranta*, and further in view of U.S. Patent No. 5,600,707 to *Miller*.

### **Summary of the Response to the Office Action**

Applicants respectfully traverse all rejections under 35 U.S.C. § 103(a).

Applicants have amended claims 1 and 10 solely to expedite prosecution of this application. No new matter has been introduced.

Accordingly, claims 1-7, and 10-16 are presently pending for further consideration, claims 8 and 9 having been withdrawn.

### **Request for Interview**

Based upon the protracted prosecution history of the present application and a willingness to discuss the specifics of Applicants' claimed invention, Applicants respectfully request an interview with the Examiner in order to advance prosecution of the present application.

Accordingly, Applicants respectfully request that the Examiner contact Applicants' undersigned representative as soon as this Amendment is received and entered, and the application is made available to the Examiner in order to arrange a mutually acceptable time with which to conduct an interview.

**All Claims Recite Allowable Subject Matter**

Claims 1-3, 6, 7, 10-12, 15, and 16 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over *Lindsay et al.* in view of *Ranta*. Claims 4, 5, 13, and 14 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over *Lindsay et al.* in view of *Ranta*, and further in view of *Miller*.

As amended, independent claim 1 recites a method including at least the step of terminating the set up of the call channel once the user message has been communicated, the terminating step being triggered by the communication of the user message. Similarly, independent claim 10 recites a method including at least the step of terminating the setting up of the call channel once a reply to the user message has been received, the terminating step being triggered by the receipt of the reply to the user message. *Lindsay et al.* and *Ranta*, whether taken alone or in combination, fail to teach or suggest at least these features of independent claims 1 and 10.

The Office Action alleges that Applicants merely attacked the references individually. See Response to Arguments at page 2. Applicants respectfully disagree. The fact is that the combined teachings of *Lindsay et al.* and *Ranta* fail to teach or suggest each and every feature of independent claims 1 and 10.

The Office Action equates several portions of *Lindsay et al.* (column 24, lines 30-50, column 27, line 36 to column 28, line 26, and column 30, and line 66 to column 31, line 24) with the claimed of terminating the set up of the call channel once the user message has been communicated. Applicants respectfully disagree. *Lindsay et al.* discloses that a network releases a connection in progress or during link setup. Such a release may be initiated by the network, or result from authentication rejection. (Col. 24, lines 30-50). However, *Lindsay et al.* fails to

teach or suggest that such a termination occurs once a user message has been communicated, the terminating step being triggered by the communication of the user message, as recited in claim 1. Moreover, *Lindsay et al.* fails to teach or suggest that such a termination occurs once a reply to the user message has been received without establishing a call, the terminating step being triggered by the receipt of the reply to the user message, as recited in claim 10.

*Ranta* does not cure the deficiencies in *Lindsay et al.* *Ranta* discloses that the base station can transmit other information in parts of a paging channel. When the terminal receives the paging channel information which belongs to the broadcast control channel, or cell broadcast channel, then it is not necessary to receive the same information again. Col. 2, lines 42-58. Such paging channel information or other information that is communicated on a broadcast channel cannot be equated with a user message that originates at a terminal rather than a base station. Moreover, such broadcast channels cannot be equate with a call channel.

Accordingly, *Lindsay et al.* fails to teach or suggest each and every feature of claims 1 and 10. Neither *Ranta* nor *Miller* cure this deficiency in *Lindsay et al.* Thus, the rejection of claims 1 and 10 should be withdrawn. Furthermore, claims 2-7 and 11-16 depend from one of independent claims 1 or 10. Accordingly, claims 2-7 and 11-16 are also allowable because of the additional features they recite and the reasons stated above.

### CONCLUSION

In view of the foregoing, Applicants respectfully request reconsideration and the timely allowance of the pending claims. Should the Examiner feel that there are any issues outstanding after consideration of the Response, the Examiner is invited to contact the Applicants' undersigned representative to expedite prosecution.

**EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby

authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

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